PUBLIC CHAPTER NO. 743

HOUSE BILL NO. 3748

By Representatives Curtiss, Pinion, Harmon, McCormick, Fincher

Substituted for: Senate Bill No. 3337

By Senator Southerland

AN ACT to amend Tennessee Code Annotated, Section 35-5-101, relative to notice of foreclosure.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1.   Tennessee Code Annotated, Section 35-5-101(e), is amended by deleting subdivisions (1) and (2) and by substituting instead the following:

(1) If to the debtor, addressed to the debtor at:

(A) The mailing address of the property, if any; and

(B) The last known mailing address of the debtor or any other mailing address of the debtor specifically designated for purposes of receiving notices provided at least thirty (30) days prior to the first publication date in written correspondence or written notice in accordance with the loan agreement from the debtor to the creditor, but only if the last known mailing address of the debtor or other mailing address designated by the debtor is different from the mailing address of the property; and

(2) If to a co-debtor, addressed to the co-debtor at the last known mailing address of the co-debtor or any other mailing address of the co-debtor specifically designated for purposes of receiving notices provided at least thirty (30) days prior to the first publication date in written correspondence or written notice in accordance with the loan agreement from the co-debtor to the creditor, but only if the last known mailing address of the co-debtor or other mailing address designated by the co-debtor is both different from the mailing address of the property and different from the mailing address of the debtor determined as provided in subdivision (1)(B) of this subsection (e).

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: March 27, 2008

(signature)

JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES

(signature)

RON RAMSEY, SPEAKER
SENATE OF THE SENATE

APPROVED this 10th day of April 2008

(signature)

PHIL BREDESEN, GOVERNOR